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Re: Application No. 09/844,523

Dear Sirs,

Please find attached a reply to the December 14, 2005 office action in the referenced patent application. This reply was timely filed with the USPTO on March 13, 2006 as shown on the accompanying Express Mail receipt. I am both an inventor and counsel for the other inventors in this matter.

I am sending this because I have received no confirmation that this reply was included for consideration with the referenced patent application. In April I spoke with a USPTO employee named Joanne Hodge who indicated that I should send this fax attaching this information if I did not hear anything from the USPTO for a month.

Please feel free to contact me at (703) 609-9281 with any information.

Very truly,

Kimble C. Cannon

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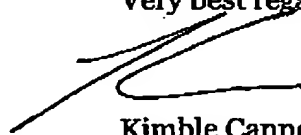 (571) 272-6723

Re: Application No. 09/844,523

Dear Ms. Retta,

Enclosed please find our reply to the December14, 2005 Office Action in the
above referenced matter. Please also note that we, the three inventors, are
proceeding *pro se* in this matter. I have made every effort to keep our reply
brief. However, as we are two economists and a securities lawyer, I hope you will
forgive any errors as to form.

We are very hopeful to secure some level of patent protection for our business
process. Essentially, the RateSlider™ allows users to select how frequently they
see full-screen interstitial ads in exchange for receiving discounted service. It is a
novel idea that we have had some success selling in Asia – China Telecom has
acquired software we designed based on the concept. However, without patent
protection we are reluctant to invest more in the idea.

Please feel free to contact me with any questions. I am currently serving as an
attorney with the U.S. Securities and Exchange Commission. My card is enclosed
and you can reach me at either (202) 551-4417 or (202) 551-2708. Also,
correspondence should be directed to me at 1164 Old Stage Court, McLean, VA
22102 (rather than to my old firm, Wilmer Hale).

Very best regards,

Kimble Cannon

Applicaton No.	Filing Date	First Inventor	Attorney Docket No.	Confirmation No.
09/844,523	04/27/2001	George Dewey Cannon	10423-0006-999	4156

Examiner
Retta, Yehdega

Date: 3/10/2006

SYSTEM AND METHOD FOR
DETERMINING SUITABLE BREAKS
FOR INSERTING CONTENT

REPLY AND AMENDMENT

Comes now the inventors of the instant patent application, *pro se*, in reply to the Office

action mailed December 14, 2005.

The Office communication rejected claims 1-12 under 35 U.S. C. 102(b) as being

anticipated by Slotznick (US 6011537). Slotznick is readily distinguished, however,

from the current application, for the following reasons:

- First, Slotznick anticipates only "secondary information displayed which is

  simultaneously displayed with the primary information". (Slotznick at 4-65) This

  is why Slotznick concerns only content that is limited to "thumbnail, keyhole or

  banner image[s]". (Slotznick at 4-66) These kinds of secondary content are

  displayed with primary content because they appear on the screen simultaneously.

  This is significant because the types of content being described by Slotznick are

  commonplace on the Internet. In contrast, the Cannon invention concerns the

  "insertion of supplemental content between said first content and said second

  content". (Cannon, Claim 1, at 49-7). This interstitial display of full-screen

content necessitates the use of the novel processes described in the Cannon

application. That is, it requires processes that recognize where the first website

ends and the second website begins such that the new or "secondary" content can

be displayed during the interstitial space. These processes were novel when this

patent application was filed in April 2001 and they remain novel today. That is,

the business model envisioned by this patent – the full screen, interstitial display

of television-like advertisements at a frequency chosen by the subscriber – is even

today not being employed by any other company.

- Second, Slotznick is intended to be "implemented in an Internet environment

  wherein the primary and secondary information are retrieved from one or more

  remote websites." (Slotznick at 4-63) The instant invention, in contrast, does not

  involve the transmission of information from websites but rather relies on a

  constant and dedicated stream of communication between a central content server

  and a client-side application installed on the user's computer. This is reflected in

  Claim 11. Specifically, the invention envisions "[a]n apparatus for determining

  when to insert supplemental content between requesting content". (Cannon,

  Claim 11, at 50-1) The invention involves a client-side application installed by a

  computer user wishing to earn discounts on internet service. This client side

  application allows the computer user to select the frequency of the content to be

  displayed. An example of the resulting graphical user interface is attached as

  Exhibit 1 hereto. This interface illustrates the meaning of "requested content" in

  Claim 11. Specifically, the computer user "requests" content be displayed by

  taking two actions. First, the computer user selects an advertisement display

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frequency using the interface, known as the RateSlider™. Second, the user visits

multiple website on the internet. When the user has gone to the number of

different websites on the internet corresponding to the frequency rate that the user

selected using the RateSlider™ interface then, and only then, is the a

supplemental (that is, advertising) content sent to the user's computer and

displayed. The description in Claim 11 regarding the need to recognize whether

first requested content is different from second requested content is critical to this

process of determining that the user has visited multiple *different* websites. This

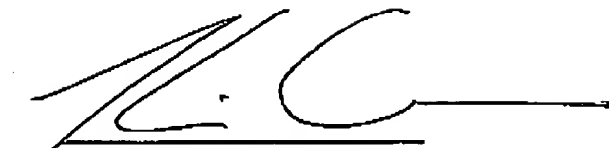concept is completely absent from, and is not anticipated by, Slotznick.

Claim 12 was rejected under 35 U.S.C. 101 because the invention was directed to non-

statutory subject matter. Claim 12 is hereby amended to clarify that it does in fact relate

to statutory subject matter as follows:

12.   A system for controlling the interstitial display of full-screen

advertisements, comprising a frequency control device represented on a user's

computer screen as a graphical user interface displaying a sliding range of display

frequencies, which frequency control device communicates with an advertisement

database located on an advertising server, where said frequency control device

allows the user to control the frequency, in terms of requesting that an

advertisement be displayed once per a selected number of different Web sites

visited, and wherein said computer user is rewarded for the amount of

advertisements displayed on said computer.

Very truly,

George D. Cannon
Kimble C. Cannon
William M. Tracy

by: Kimble C. Cannon
Inventor

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Exhibit 1
RateSlider Interface

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